

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re)	Case No. 12-14793-WCH
)	
David H. Iseman)	Chapter 13
)	
Debtor)	
_____)	

**NOTICE OF INTENDED PRIVATE SALE OF PROPERTY, SOLICITATION OF
COUNTEROFFERS, DEADLINE
FOR SUBMITTING OBJECTIONS
AND HIGHER OFFERS, AND HEARING DATE**

_____ IS THE DATE OF THE PROPOSED SALE

12/10/13
12/4/13

IS THE DATE BY WHICH OBJECTIONS OR
COUNTERFFERS MUST BE MADE

NOTICE IS HEREBY GIVEN, pursuant to 11 U.S.C. § 363, Fed. R. Bankr. P. 2002(a)(2) and 6004, and MLBR 2002-5 and 6004-1, that the Debtor intends to sell at private sale, the debtor's right, title and interest in certain property of the estate.

PROPERTY TO BE SOLD: 25 Angelos Way, Mashpee, MA 02649.

THE OFFER: The Debtor has received an offer to purchase the property for the sum of Three Hundred Eighty-Five Thousand Five Hundred and 00/1000 (\$385,500.00) Dollars.

THE PROPOSED BUYER: The proposed buyers are Denise B. Toscano and Brian Dulmaine. The relationship of the proposed buyer to the Debtor is: **None.**

THE SALE DATE: The sale shall take place on or before December 19, 2013. The proposed buyers paid a deposit in the sum of \$ 1,000.00 with the Contract to Purchase and \$18,000.00 upon execution of the Purchase and Sale Agreement. The terms of the proposed sale are more particularly described in a Motion for Order Authorizing and Approving Private Sale of Property of the Estate (the "Motion to Approve Sale") filed with the Court on November 16, 2013 and a written Purchase and Sale agreement dated November 14, 2013. The Motion to

Approve Sale and the Purchase and Sale agreement are available at no charge upon request from the undersigned.

SALE FREE AND CLEAR OF LIENS: The property at 25 Angelos Way, Mashpee, MA 02649 will be sold free and clear of all liens, claims and encumbrances. Any perfected, enforceable valid lies shall attach to the proceeds of the sale according to priorities established under applicable law.

COUNTEROFFERS OR OBJECTIONS: Any objections to the sale and/or higher offers must be filed in writing with the Clerk, United States Bankruptcy Court at J.W. McCormack Post Office & Court House, 5 Post Office Square, Room 325, Boston, MA 02109 on or before 12/10/13 at 4:30 PM (the "Objection Deadline"). A copy of any objection or higher offer also shall be served upon the undersigned. Any objection to the sale must state with particularity the grounds for the objection and why the intended sale should not be authorized. Any objection to the sale shall be governed by Fed. R. Bankr. P. 9014.

Through this Notice, higher offers for the Property are hereby solicited. Any higher offer must be accompanied by a cash deposit of \$ 1,000.00 in the form of a certified or bank check made payable to the undersigned. Higher offers must be on the same terms and conditions provided in the Purchase and Sale Agreement, other than the purchase price.

HEARING: A hearing on the Motion to Approve Sale, objection or higher offers is scheduled to take place on Dec 13, 2013 9:30 AM PM before the Honorable William C. Hillman, United States Bankruptcy Judge, Courtroom. Any party who has filed an objection or higher offer is expected to be present at the hearing, failing which the objection may be overruled or the higher offer stricken. The Court may take evidence at any hearing on approval of the sale to resolve issues of fact. If no objection to the Motion to Approve Sale or higher offer is timely filed, the Court, in its discretion, may cancel the scheduled hearing and approve the sale without a hearing.

At the hearing on the sale the Court may 1.) Consider any requests to strike a higher offer, 2.) Determine further terms and conditions of the sale, 3.) Determine the requirements for further competitive bidding, and 4.) Require one or more rounds of sealed or open bids from the original offeror and any other qualifying offeror.

DEPOSIT: The deposit will be forfeited to the estate if the successful purchaser fails to complete the sale by the date ordered by the Court. If the sale is not completed by the buyer approved by the Court, the Court, without further hearing, may approve the sale of the Property to the next highest bidder.

*Barnstable Town Hall 2nd floor
367 Main Street, Hyannis Center
Hyannis, Ma 02601*

Any questions concerning the intended sale shall be addressed to the undersigned.

Respectfully submitted,
David H. Iseman,
by his attorney,

Dated: November 16, 2013

/s/ Richard D. Smeloff
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